THE HONOURABLE MRS. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE MR. JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 27181 of 2007

ORAL ORDER:
(Per T. Meena Kumari, J)

The Writ Petition is filed seeking writ of mandamus restraining the 1st respondent from taking any coercive steps for recovery of the balance disputed tax of Rs. 17,50,905/- out of the total disputed tax of Rs. 39,44,930/- for the assessment year 2000-01, 2001-02, 2002-03, 2003-04 and 2004-05, pursuant to the orders dated 10.10.2005 pending disposal of the appeal before the Sales Tax Appellate Tribunal.

It is submitted by the learned counsel for the petitioner that the petitioner has filed Writ Petition Nos. 5027, 5028, 5031, 5032 and 5045 of 2006 for each of the year and this Court by orders dated 16.3.2006 granted stay on condition of payment of 50% of the disputed tax giving credit of amount paid earlier towards the disputed tax and the balance was stayed till disposal of the appeal before the 2nd respondent. It is further submitted by the learned counsel for the petitioner that the petitioner has complied with the orders of this Court and deposited 50% of the amount. Since the orders are complied with, if no stay is granted, the petitioner would be put to irreparable loss.

Heard the learned Special Standing Counsel for Commercial Taxes.

In view of the facts and circumstances of the case and since the petitioner has already complied with the depositing of 50% of the disputed tax, it would suffice if stay is granted, pending

disposal of the appeal.

Accordingly, the Writ Petition is disposed of. However, pending disposal of the appeal before the Sales Tax Appellate Tribunal, interim stay of all further proceedings is granted, pending disposal of the appeal before the Sales Tax Appellate Tribunal.

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T. MEENA KUMARI, J

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C.V. NAGARJUNA REDDY, J

19.12.2007

N.B.
C.C. by 26.12.2007
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